

**From:** Robert L Wolpert  
**To:** Microsoft ATR  
**Date:** 1/18/02 3:17pm  
**Subject:** MS Antitrust Settlement Concerns

Dep't of Justice,

I'm a statistician and mathematician, for many years a user of a variety of computers in my work, recreation, and personal life. I am writing in opposition to the proposed settlement of the US DOJ antitrust suit with MicroSoft.

For years the MicroSoft monopolies on desktop operating systems and office productivity software have perpetuated each other--- competing operating systems (OS/2, BeOS, Netware, DR-DOS, Unix) cannot gain more than a trivial market share because Microsoft constructs its office productivity software NOT to run on the competing platforms (this was especially clear with OS/2); meanwhile competing desktop applications (Netware, Word Perfect, Lotus 123, etc) cannot gain more than a trivial market share because Microsoft conceals and changes their OS programming interfaces (API's) to give their own products an advantage (the MS slogan of the 70's when updating their OS was "The job's not done 'til Lotus won't run").

The resulting lack of competition has hurt American research productivity, American commerce, and all of us who would benefit from cheaper, more secure, and more capable computing platforms.

Penfield's structural remedy addresses the underlying problem--- if the OS and App portions of Microsoft were separate, then it would be in the Apps portion's (and its stockholders') interest to port the apps to competing OS's, and it would be in the OS portion's (and its stockholders') interest to support ALL app vendors on their platform. In fact I would expect this would make both portions stronger, again benefiting their stockholders, while simultaneously opening the market to competition for the first time in two decades.

Thank you for the opportunity to comment. Sincerely,

Dr. Robert Wolpert  
Professor, Duke University

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